

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDWYNA W. BROOKS d/b/a EW BROOKS
BOOKS LLC,

Plaintiff,

-v-

DAMON ANTHONY DASH and POPPINGTON
LLC d/b/a DAME DASH STUDIOS,

Defendants.
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USDC SDNY
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DOC #:
DATE FILED: 3/20

19-cv-1944 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On January 30, 2020, counsel for plaintiff Edwyna Brooks, via e-mail, requested the Court to hold defendants Damon Dash and Poppington LLC in contempt of court and to impose sanctions in the amount of \$10,000 for their violations of the stipulation and order for a preliminary injunction effective March 19, 2019.

Under the terms of the injunction, Dash agreed not to "market, advertise, promote, distribute, sell the film Mafietta during the pendency of this litigation." ECF No. 23. And, at the close of bench trial on January 23, 2020, the Court reminded the parties that the injunction would be in effect until the Court issues its findings of fact and conclusions of law later this year. Despite this clear directive, defendants have, by their own admission, failed to comply with the terms of the injunction by not removing three Instagram posts - each dated March 5, 2017, March 8, 2017, and March 11, 2017 - promoting the film on

Poppington LLC's account. However, defendants contend this was accidental.

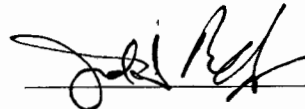
Without ruling whether the violation was intentional or accidental, the Court hereby orders defendants to remove the said posts by no later than January 31, 2020 at 5:00 p.m. While no sanctions will be imposed for the aforementioned violation, failure to comply with this Order, as well as any further knowing or reckless violation of the terms of the preliminary injunction, will be deemed contempt of court and sanctions will be imposed.

SO ORDERED.

Dated: New York, NY

January 30, 2019

6:45 p.m. (via email)



JED S. RAKOFF, U.S.D.J.